

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

17 CIV 6607

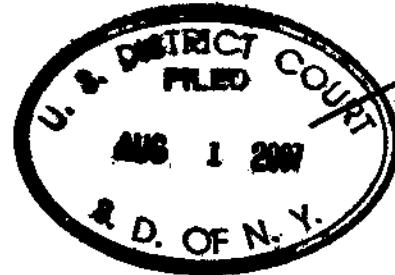
ANA MARGARITA MARTINEZ,

Plaintiff,

vs.

THE REPUBLIC OF CUBA,

Defendant.



ORDER OF ATTACHMENT

To: The United States Marshal:

This matter came before the Court pursuant to Plaintiff ANA MARGARITA MARTINEZ's Motion for an Order of Attachment and Temporary Restraining Order against the property of the Defendant, THE REPUBLIC OF CUBA, in an action pending in this Court.

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After considering Plaintiff's Motion, and the supporting Declaration of Joseph A. DeMaria, Esq., it satisfactorily appears to the Court that the Plaintiff possesses a valid cause of action upon which Plaintiff is entitled to a money judgment; that it is probable that the Plaintiff will succeed on the merits; that one of the grounds for attachment set forth in NY CPLR § 6201 exists in favor of the Plaintiff and against the Defendant to recover a sum of money, to wit, the amount of \$26,968,340.41, which represents the unpaid principal amount of a \$27,175,000.00 judgment entered in Florida state court which is entitled to full faith and credit in this Court; that the Plaintiff is entitled to recover those sums over and above any and all counterclaims the Plaintiff is willing to concede as just; and that the Plaintiff shall give an undertaking with corporate surety in the amount of \$500.00. Therefore,

IT IS ORDERED that an Order of Attachment is hereby GRANTED, and it is further ORDERED, that the amount to be secured by this Order of Attachment, including any interest, costs, and marshal's fees and expenses shall be \$6,968,340.41, representing the remaining unpaid balance on a \$7,175,000.00 award of compensatory damages upon which Plaintiff is eligible to execute in this action, pursuant to 28 U.S.C. § 1606.

NOW, you are commanded to levy within your jurisdiction, where any "blocked assets" (as defined in 28 U.S.C. § 1610(f)(1)(a)) in which the Defendant THE REPUBLIC OF CUBA or any of its "agencies or instrumentalities" (as defined in 28 U.S.C. § 1603(b)) has an interest is located, or where any garnishee of such property may be served, including the specific garnissees **JPMORGAN CHASE BANK, N.A.; BANK OF NEW YORK; and AT&T CORP.**, at any time before final judgment, for the purpose of securing and satisfying the aforesaid sum of \$6,968,340.41, and that you proceed hereon in the manner and make your return within the time prescribed by law.

IT IS FURTHER ORDERED that, pending final judgment in the above-captioned matter, any garnishee of the blocked assets of THE REPUBLIC OF CUBA or any of its agencies or instrumentalities, specifically including garnissees **JPMORGAN CHASE BANK, N.A.; BANK OF NEW YORK; and AT&T CORP.**, are hereby forbidden to make or suffer any sale, assignment, or transfer of, or any interference with, any such property in its possession or custody in which it knows or has reason to believe the THE REPUBLIC OF CUBA or any of its agencies or instrumentalities has an interest, or pay over or otherwise dispose of any debt it owes to THE REPUBLIC OF CUBA or any of its agencies or instrumentalities.

In support of this Order of Attachment, Plaintiff ANA MARGARITA MARTINEZ is hereby required to submit an undertaking of \$500.00, pursuant to the requirements of Rule 6212(b) of New York Civil Practice Law and Rules.

Dated this 23 nd day of July, 2007.



District Court Judge
Victor Marrero